

Power Has Limits

How constitutional principles restrain government action.

SS.7.CG.1.9 "Describe how the U.S. Constitution limits the powers of government through separation of powers, checks and balances, individual rights, rule of law, and due process of law."

NAME _____

DATE _____

1 READ AND MARK _____ Read it twice

YOUR JOB Underline one sentence or phrase that shows each limit on government power: separation of powers, checks and balances, individual rights, rule of law, and due process. Write SP, CB, IR, RL, or DP in the margin beside each mark.

Limits Built Into Government

- ① The Constitution divides the national government's work among three branches. Congress writes and passes bills, the president can sign or veto them, and federal courts decide whether laws fit the Constitution. This separation of powers prevents one branch from holding every major power. The branches also check one another. For example, Congress may override a presidential veto with a two-thirds vote in both houses. The Senate must approve many presidential appointments, including federal judges. These steps can slow decisions, but they require officials to share power.
- ② Individual rights place limits on what government may do to people. The First Amendment protects freedom of speech and peaceful assembly, so officials cannot punish a person simply for expressing an opinion. Rule of law means that government officials, like everyone else, must obey the Constitution and laws. Due process of law requires fair procedures when government may take a person's life, liberty, or property. For instance, before a city takes property for a public project, it must give notice and a chance to be heard.
- ③ Imagine Congress passes a law banning a peaceful public meeting because officials dislike its message. The president could veto the bill before it becomes law. If the law takes effect and is challenged in court, judges can decide whether it violates the First Amendment. Courts do not write a replacement law, and the president does not decide court cases. Each branch stays within its assigned role. Together, rights, due process, rule of law, separation of powers, and checks and balances make government power limited rather than unlimited.

2 ANSWER WITH EVIDENCE Use the passage

1 What does separation of powers prevent, according to the passage?

2 Name two checks on power described in the first paragraph.

3 How do rule of law and due process limit government action?

4 In the imagined law about a public meeting, what two constitutional limits could stop or challenge the ban?

3 YOUR TURN Your own words

Choose a government action not described in the passage. Write exactly four sentences explaining how at least three constitutional limits, including a check on power or separation of powers, would control that action.

PART 1 • READ AND MARK

Underline one sentence or phrase that shows each limit on government power: separation of powers, checks and balances, individual rights, rule of law, and due process. Write SP, CB, IR, RL, or DP in the margin beside each mark. Accept any marking that follows this job and points at the right text.

PART 2 • ANSWERS

#	QUESTION	ANSWER
1	What does separation of powers prevent, according to the passage?	It prevents one branch from holding every major power.
2	Name two checks on power described in the first paragraph.	Congress can override a presidential veto with a two-thirds vote in both houses, and the Senate must approve many presidential appointments, including federal judges.
3	How do rule of law and due process limit government action?	Rule of law requires officials to obey the Constitution and laws. Due process requires fair procedures, including notice and a chance to be heard before government takes life, liberty, or property.
4	In the imagined law about a public meeting, what two constitutional limits could stop or challenge the ban?	The president could veto the bill before it becomes law. If it takes effect, a court could decide whether the ban violates the First Amendment.

PART 3 • YOUR TURN (SAMPLE ANSWER)

Congress passes a bill allowing a federal agency to close a newspaper without a hearing. The president may veto the bill, and a court can review it if someone challenges it. Closing the newspaper may violate freedom of the press, and the agency must give the owners notice and a fair chance to respond before taking action. Officials must follow the Constitution and the same legal rules, so the agency cannot ignore these limits.

Accept equivalent descriptions of the listed constitutional limits when they match the passage. For the open response, look for exactly four sentences about a new action and an accurate explanation of at least three limits, including separation of powers or a check.